

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
VS.)	CRIMINAL NO. 2:05-CR-119-F
)	
DON EUGENE SIEGELMAN,)	
PAUL MICHAEL HAMRICK,)	
GARY MACK ROBERTS, and)	
RICHARD M. SCRUSHY.)	

**DEFENDANT GARY MACK ROBERTS'
PROPOSED JURY QUESTIONNAIRE**

Comes now Mack Roberts and submits the following proposed Jury Questionnaire to be submitted in the instant action:

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

Juror No. _____

You have been selected as a prospective juror in the U.S. District Court that sits in Montgomery. You will be put under oath when answering questions put to you by the judge. Consider that you are under oath when answering these questions. In each case, the judge and lawyers involved in the case must decide if you should serve in that particular case. These decisions are made the morning that a trial begins. Because many of the questions asked by the court and lawyers are asked in virtually every case, this questionnaire has been prepared to insure that our records are correct and so that the information provided can be given to counsel and the court prior to trial. This will speed the process of jury selection and minimize the amount of time you must spend in the courtroom while a jury is selected. This information will be available only to the court and the attorneys who are trying the particular cases for which you are called and will not be publicly disseminated. **Please complete this form and return it in the enclosed envelope within five days of receipt.**

NOTE: AFTER JURY SELECTION, THIS COURT WILL DESTROY THIS QUESTIONNAIRE AND YOUR ANSWERS WILL BE KEPT CONFIDENTIAL.

PLEASE PRINT

PERSONAL BACKGROUND

1. Name _____
2. Age _____
3. Sex (Circle One): M F
4. Do you consider yourself:
() African-American/Black () Hispanic/Latino () Native American
() Caucasian/White () Oriental () Other _____
5. City and County of Residence: _____

Neighborhood or area: _____

How long have you lived at your present address: _____
6. List any other cities and states where you have lived in the past 10 years: _____

7. Approximately how many miles do you live from downtown Montgomery?
Less than 25 miles _____
25 - 50 miles _____
51 - 75 miles _____
More than 75 miles _____
8. What is your current marital status?
() Single, never married
() Married Years current marriage _____ Number of times married _____
() Widowed Years widowed _____ Number of times married _____
() Divorced Years divorced _____ Number of times married _____
() Separated Years separated _____ Number of time married _____
9. If you were ever married list your spouse's occupation and employer (if spouse is deceased or retired, list former occupation and employer).
Spouse's occupation _____
Spouse's place of work _____
Spouse's job description _____
Years spouse employed in present job _____

10. Do you have children? ☐ Yes ☐ No
If yes, please list their names, ages, level of education and employment.

NAME	AGE	EDUCATION LEVEL	CURRENT EMPLOYMENT

11. What is your current job status?
☐ Working full time ☐ Working part time ☐ Retired
☐ Homemaker ☐ Unemployed ☐ Student
☐ Temporarily laid-off ☐ Disabled
☐ Other (specify) _____
12. What is your current job and who is your employer? (If you are retired, what was your last job before retirement?) _____

13. How many years have you been employed in your present job? (If you are retired, the number of years in your last job before retirement) _____
14. Do you supervise other employees in your present job? (If retired, did you supervise other employees in your last job before retirement?)
☐ Yes ☐ No If yes, how many? _____
15. List other occupations you have had over your working life. Please include: a) job title, b) place of employment, and c) reason for leaving

16. Have you ever served in the military?
☐ No ☐ Yes If yes please answer the following:
 Branch of Service _____ Highest Rank _____
 Length of Service _____
 Type of Discharge _____
 Main occupation in Military _____

17. Have you or anyone close to you ever worked for a City, County, State or the Federal Government (this includes employment in administration, law enforcement and education departments)? ☐ Yes ☐ No

If yes, please describe: _____

18. Have you, or anyone close to you, or any of your employers, ever been involved in any way in doing business with a Federal, State, County, or City Government?
☐ Yes ☐ No

If yes, please describe: _____

19. Have you, or anyone close to you, or any of your employers, ever been involved in building roads? ☐ Yes ☐ No

If yes, please describe: _____

EDUCATIONAL BACKGROUND

20. Are you currently a student?
☐ No ☐ Yes ☐ Full time ☐ Part time

21. What was the highest educational level completed by you? (Please circle one)

6 7 8 9 10 11 12 College Post-Graduate

22. Have you ever studied to be a minister, preacher or priest?
☐ Yes ☐ No

23. Are you doing what you thought you would be doing when you were in school?
☐ Yes ☐ No

Please explain: _____

ACTIVITIES AND INTERESTS

24. What groups, clubs or organizations do you belong to and are active in? (Please include any social, professional, civic, victim or civil liberties organizations). If you are or have been an officer in any such organization please state the position and organization.
- _____
- _____
- _____
25. Are there any charities to which you or your spouse make donations? ☐ Yes ☐ No
If yes, please list those charities _____
- _____
- _____
26. Are you a member of a union? ☐ Yes ☐ No
If so, what union? _____
27. Please name three public figures you admire most:
(1) _____
(2) _____
(3) _____
28. How do you like to spend your leisure time? (Please list all of your hobbies, special interests, spare time activities, etc.)
- _____
- _____
- _____
29. Which of the following local or statewide newspapers, if any do you read?
☐ Montgomery Advertiser ☐ Montgomery Independent
☐ Birmingham News ☐ Birmingham Post-Herald
☐ Other _____
30. How often would you say you read a state or local newspaper?
☐ Once a week ☐ Only when something special is reported
☐ 2-3 times a week ☐ Only on Sundays
☐ 4 or more times a week
31. Which 3 television programs do you watch most often?
(1) _____
(2) _____
(3) _____

32. Are you currently reading a book? ☐ Yes ☐ No
If so, (1) Title: _____
Author: _____
(2) Title: _____
Author: _____
(3) Title: _____
Author: _____
33. How many times a week do you watch local television news? _____
34. How many times a week do you watch national television news? _____
35. Do you watch any of the CSI shows? ☐ Yes ☐ No
36. Do you know what the "FW Dodge Report" is? ☐ Yes ☐ No
If yes, please explain what it is _____

37. Which 3 magazines or periodicals, if any, have you read most during the past year or so?
(1) _____
(2) _____
(3) _____
38. What radio stations do you normally listen to? _____

39. What accomplishments in your life are you most proud of?

40. Do you have now or have you ever had a personalized car tag?
☐ Yes ☐ No
If so, what does it say? _____
41. Have you ever had any bumper stickers on the car that you or your spouse drive?
☐ Yes ☐ No
If you answered yes, what does/did it say? _____

42. Have you attended a church, synagogue, mosque or any other religious facility in the past year? ☐ Yes ☐ No
If yes, please name the church, synagogue, mosque or other religious facility _____
How often do you attend?
☐ Several times a week ☐ Weekly ☐ A couple times a month
☐ Once a month ☐ Several times a year
☐ Other _____
43. How important is faith to you?
☐ Extremely important and I make major life decisions based on my faith.
☐ Important, but I consider other issues too.
☐ Not very important in my daily life
44. Which of the following comes closest to describing your political party affiliation?
☐ Strong Democrat ☐ Moderate Democrat
☐ Strong Republican ☐ Moderate Republican
☐ Libertarian ☐ Independent
☐ Other _____

PERSONAL EXPERIENCES WITH THE LEGAL SYSTEM

45. Have you or any one close to you ever been a plaintiff or a defendant in any legal proceeding, including a workers compensation proceeding? ☐ Yes ☐ No
If yes, please describe who was involved, the type of case, when it took place, and whether or not it was satisfactorily resolved?

46. Is anyone in your immediate family, a lawyer, or do you have a close friend who is a lawyer? ☐ Yes ☐ No
If you answered yes, please state what relation the person is and what firm they work for: _____

47. Are you concerned about the justice system being too lenient on criminals?
☐ Yes ☐ No If so, what are your concerns? _____

48. What is your opinion about the criminal justice system: _____

49. Have you ever testified as a witness before a grand jury?
 () Yes () No
 If yes, when and where? _____

50. Have you ever served on a grand jury? () Yes () No
 If yes, when, where and how many times? _____

51. Have you ever testified as a witness in a civil or criminal trial? () Yes () No

52. If you have testified as a witness, please state the following:

<u>Year</u>	<u>City/State</u>	<u>Witness for the defendant or plaintiff</u>
_____	_____	() Defendant () Plaintiff () State/Government
_____	_____	() Defendant () Plaintiff () State/Government
_____	_____	() Defendant () Plaintiff () State/Government
_____	_____	() Defendant () Plaintiff () State/Government

53. Have you ever served as a juror before? () Yes () No

54. If you have served as a juror before, please state the following:

<u>Year</u>	<u>City/State</u>	<u>Type of Case</u> <u>Civil or Criminal</u>	<u>What was the verdict?</u> <u>Plaintiff/Defendant</u> <u>Guilty/Not Guilty</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

55. Have you ever served as a foreperson on a jury?
 () Yes () No
 If yes, please describe the case and the outcome _____

56. Have you, a family member or someone close to you been the victim of a crime?
☐ Yes ☐ No
- a. If yes, please give the person's relationship to you _____

- b. Describe the incident _____

- c. Were you satisfied with how you were treated by the criminal justice system? Describe.

57. Have you or any close member of your family ever been arrested or charged with a criminal offense?
☐ Yes ☐ No
- a. Who was charged? _____
- b. What was the charge? _____

- c. Outcome of arrest or charge? _____

58. Have you ever worked in or volunteered as a federal, military, state or local law enforcement related job, such as police, sheriff, state trooper, prison guard, military police or a private security company? ☐ No ☐ Yes
 If yes, please describe _____

59. Other than the military, have you or anyone close to you ever worked for the United States Government, or any state or local government agency or entity? ☐ Yes ☐ No
- If you answered yes, who was so employed, when were they employed, and who was their employer?

60. Please indicate how you feel about the following statements by marking your answer:
- A. If the government goes to the trouble of bringing someone to trial, that person is probably guilty.
☐ Strongly Disagree ☐ Disagree ☐ Agree ☐ Strongly Agree

B. The testimony of government agents is not entitled to any greater or lesser weight merely because they are government agents.

() Strongly Disagree () Disagree () Agree () Strongly Agree

C. A defendant in a criminal case should testify or produce some evidence to prove that he or she is not guilty.

() Strongly Disagree () Disagree () Agree () Strongly Agree

JURY SERVICE

61. Have you read, seen, or heard anything good or bad about (LIST DEFENDANTS)?

() Yes () No

If yes, what have you read, seen or heard? _____

62. Have you yourself expressed or have you heard others express a positive or negative opinion about this case?

() Yes () No

If yes, what have you expressed or heard? _____

63. Do you have any knowledge about the facts in this case or the defendants that has not come from what you have learned today? () Yes () No

If yes, what knowledge do you have? _____

64. Have you formed any opinion about the case or about Mack Roberts or the other defendants in this case? () Yes () No

If yes, what is that opinion? _____

65. Have you or anyone close to you ever worked for the Alabama Department of Transportation? ☐ Yes ☐ No

If yes, please explain who, when and what was their job: _____

66. Do you feel that people who work for the State Government are: (check the answer that best expresses how you feel)

☐ Almost always corrupt

☐ Usually corrupt

☐ Usually honest

☐ Almost always honest

67. Do you have any personal, moral or religious beliefs or opinions which would influence or affect your ability to follow the law as it is explained to you at the end of the case, render judgment or sign verdict forms?

☐ Yes

☐ No

If you answered yes, please explain:

68. Do you have any pressing personal commitments or medical/health situations which would cause your jury service to be a hardship? ☐ Yes ☐ No

If yes, please describe: _____

69. Do you have any personal experiences in your life which you think might influence your vote if you serve on this jury or any experiences which might tend to make you lean even slightly in favor of one side before the trial starts? ☐ Yes ☐ No

If yes, please explain: _____

70. Is there any reason whatsoever that would cause you to not want to sit as a juror on this case? ☐ Yes ☐ No

If yes, please explain: _____

71. Is there anything else about you that the parties should know that could bear on your ability to serve as a juror? () Yes () No
If you answered yes, please explain:

72. Do you consider yourself to be a: () Follower () Leader

UNDER PENALTY OF PERJURY, I DO HEREBY DECLARE THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE ANSWERS HEREIN GIVEN ARE TRUE AND CORRECT.

Date: _____ Juror signature _____

Respectfully submitted this the 10th day of March, 2006.

/s/ David McKnight
David McKnight
Josh Briskman
Attorneys for Gary Mack Roberts
BAXLEY, DILLARD, DAUPHIN, MCKNIGHT
AND BARCLIFT
2008 Third Avenue South
Birmingham, AL 35233
Telephone: (205)271-1100
Fax: (205)271-1108

CERTIFICATE OF SERVICE

I hereby certify that on March 10, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ David McKnight
Of Counsel